

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	INTERSTATE AGREEMENT ON
)	DETAINERS ORDER
vs.)	
)	Case No.: 1:17-cr-040
Thomas Hannibal Drumgold, II,)	
)	
Defendant.)	

On November 16, 2022, defendant made his initial appearance on a petition to revoke his supervised release. SAUSA Jeremy Ensrud appeared on behalf of the United States. Attorney Alexander Kelsch appeared on defendant’s behalf.

Prior to his initial appearance, defendant was incarcerated by the State of North Dakota at the North Dakota State Penitentiary. After the petition was filed and an arrest warrant was issued, a detainer was filed by the United States with the North Dakota prison officials. Pursuant to the Interstate Agreement on Detainers Act (“IADA”), defendant’s appearance before this court for his initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

At his initial appearance, defendant was advised of his rights under the Interstate Agreement on Detainers Act (“IADA”) to continued federal custody until the charges set forth in the petition are adjudicated. Defendant waived in open court the anti-shuttling provisions of the IADA and agreed to remain in the custody of the State of North Dakota (the “sending state” under the IADA) at the North Dakota State Penitentiary pending further proceedings in this case initiated by the United States (the “receiving state” under the IADA).

The court accepts defendant's waiver, finding that it was made knowingly and intelligently, voluntarily, and upon advice of counsel. Accordingly, the court **ORDERS** that defendant be returned to and housed in the "sending state" under the IADA pending further proceedings or until further order of the court. Further, pursuant to defendant's waiver, the return of the defendant to his place of incarceration pending trial shall not be grounds under the IADA for dismissal of the charges set forth in the petition.

Dated this 16th day of November, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court